Applicants traverse the Examiner's restriction requirement for the following reasons. The Examiner asserts that the inventions "are related as combination and subcombination" under MPEP § 806.05(c). Office Action at 3. MPEP § 806.05(c) instructs: "To support a requirement for restriction between combination and subcombination inventions, both two-way distinctness and reasons for insisting on restriction are necessary, i.e., there would be a *>serious< search burden >if restriction were not required [] as evidenced by separate classification, status, or field of search" (emphasis in original). The Examiner has failed to establish the requisite "serious search burden."

The Examiner asserts that Group I is classified in class 709, subclass 230 and Group II is classified in class 718, subclass 304. Office Action at 2-3. However, the Examiner previously examined the claims in both Groups I and II and issued the Office Action mailed May 3, 2006. In issuing the Office Action mailed May 3, 2006, as demonstrated in the attached "EAST Search History," the Examiner performed text searches across all available classes, but did not limit his search to either class 709, subclass 230 or class 718, subclass 304. East Search History (obtained via Private PAIR). The Examiner's willingness to previously search and examine the claims in Groups I and II, which remain in original form, demonstrates the lack of a "serious search burden," as required by MPEP § 806.05(c). Accordingly, Applicants respectfully request that the Examiner withdraw the restriction requirement and continue examination of the claims in Groups I and II.

Please grant any extensions of time required to enter this response and charge

any additional required fees to our Deposit Account No. 06-0916.
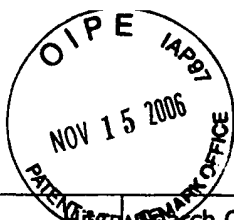
Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: November 15, 2006　　　　By:_____

Nathan A. Sloan
Reg. No. 56, 249

Attachment: East Search History (2 pages)

EAST Search History

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	2	("20030126265").PN.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	OFF	2006/04/25 15:26
L2	1	1 and (reciev$6 send$5 descri$7 defin$5 process$5) near5 (application protocol channel process$5)	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2006/04/25 17:12
L3	1	2 and (reciev$6 send$5 descri$7 defin$5 process$5 request$6) near5 (communicat$6 session connec$6 link$5 request$6)	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2006/04/25 15:30
L4	1	2 and (reciev$6 send$5 descri$7 defin$5 process$5 request$6 perform$5) near5 (task$5 action communicat$6 session connec$6 link$5 request$6)	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2006/04/25 17:20
L5	6316	grid$5 near3 (manag$6 comput$6 scal$6)	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2006/04/25 16:05
L6	24	5 and document near3 (defin$6 specif$6) near3 (link$5 communicat$6 protocol connect$6)	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2006/04/25 16:58
L7	23	6 and application near5 (process$5 execut$6 command$5 instruc$6)	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2006/04/25 16:56
L8	42	5 and application near2 process$5 near3 manag$7	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2006/04/25 16:56
L9	39	8 and (defin$6 specif$6 descri$6) near3 (application document libra$3 file)	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2006/04/25 17:00
L10	41	8 and (defin$6 specif$6 descri$6 application program$6) near3 (application document libra$3 file command$5 resum$3 stop$3 start$6 initiat$6 suspen$6)	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2006/04/25 17:10
L11	2331	5and (defin$6 specif$6 descri$6) near3 (application document libra$3 file) near3 communication near3 (protocol or channel path)	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2006/04/25 17:11

EAST Search History

L12	96	11 and (reciev$6 send$5 request$6) near5 communicat$6 near5 (application process$5)	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2006/04/25 17:13
L13	7	11 and (reciev$6 send$5 request$6) near5 communicat$6 near5 (application near3 process$5)	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2006/04/25 17:13
L14	23	7 and (reciev$6 send$5 descri$7 defin$5 process$5 request$6 perform$5) near5 (task$5 action communicat$6 session connec$6 link$5 request$6 resource)	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2006/04/25 17:21
L15	7	13 and (reciev$6 send$5 descri$7 defin$5 process$5 request$6 perform$5) near5 (task$5 action communicat$6 session connec$6 link$5 request$6 resource)	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2006/04/25 17:21
L16	5	13 and (reciev$6 send$5 descri$7 defin$5 process$5 request$6 perform$5) near5 (task$5 action bandwidth resource)	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2006/04/25 17:22